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AMENDMENTS TO LB 551

(Amendments to Standing Committee amendments, AM0695)

1           1. Insert the following new sections:

2           "Sec. 8. Section 71-922, Revised Statutes Supplement,  
3 2004, is amended to read:

4           71-922. (1) Mental health board proceedings shall be  
5 deemed to have commenced upon the earlier of (a) the filing of a  
6 petition under section 71-921 or (b) notification by the county  
7 attorney to the law enforcement officer who took the subject into  
8 emergency protective custody under section 71-920 or the  
9 administrator of the treatment center of medical facility having  
10 charge of the subject of his or her intention to file such  
11 petition. The county attorney shall file such petition as soon as  
12 reasonably practicable after such notification.

13           (2) A petition filed by the county attorney under section  
14 71-921 may contain a request for the emergency protective custody  
15 and evaluation of the subject prior to commencement of a mental  
16 health board hearing pursuant to such petition with respect to the  
17 subject. Upon receipt of such request and upon a finding of  
18 probable cause to believe that the subject is mentally ill and  
19 dangerous as alleged in the petition, the court or chairperson of  
20 the mental health board may issue a warrant directing the sheriff  
21 to take custody of the subject. If the subject is already in  
22 emergency protective custody under a certificate filed under  
23 section 71-919, a copy of such certificate shall be filed with the

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1 petition. The subject in such custody shall be held in the nearest  
2 appropriate and available medical facility and shall not be placed  
3 in a jail. Each county shall make arrangements with appropriate  
4 medical facilities inside or outside the county for such purpose  
5 and shall pay the cost of the emergency protective custody of  
6 persons from such county in such facilities.

7           ~~(2)~~ (3) The petition and all subsequent pleadings and  
8 filings in the case shall be entitled In the Interest of .....,  
9 Alleged to be Mentally Ill and Dangerous. The county attorney may  
10 dismiss the petition at any time prior to the commencement of the  
11 hearing of the mental health board under section 71-924, and upon  
12 such motion by the county attorney, the mental health board shall  
13 dismiss the petition.

14           Sec. 9. This act becomes operative on July 1, 2005.".

15           2. Renumber the remaining sections accordingly.